

EXHIBIT A

The Honorable Robert J. Bryan

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff

v.

JAY MICHAUD,

Defendant.

NO. CR15-5351RJB

**DECLARATION OF FBI SPECIAL
AGENT SAMUEL MAUTZ**

I, Samuel A. Mautz, declare as follows:

1. I am a Special Agent of the Federal Bureau of Investigation. I am currently assigned to the Vancouver, Resident Agency of the Seattle Division of the FBI. Previously I was assigned to the Pierre, Resident Agency of the Minneapolis, Division. My duties include the investigation of crimes involving the use of technology, child exploitation, and child pornography. I have gained experience through training at the FBI Academy in Quantico, Virginia, as well as training to be a Digital Extraction Technician for the FBI and through every day work relating to these types of investigations. While assigned to the Pierre Resident Agency, I conducted investigations in conjunction with the South Dakota Internet Crimes Against Children Task Force. I have received training in the area of child pornography and child exploitation and have

1 had the opportunity to observe and review numerous examples of child pornography (as
2 defined in 18 U.S.C. § 2256) in various forms of media, including computer media.

3 2. I have been involved in the FBI investigation of Jay Michaud since
4 approximately May of 2015. My duties included the logical investigation of Michaud's
5 location, obtaining and executing multiple search warrants, and coordinating and
6 assisting in the forensic analysis of evidence seized from Michaud's residence and his
7 person.

8 3. In preparing this declaration, I have reviewed evidence and spoken with
9 FBI personnel familiar with the facts and circumstances outlined below. I provide the
10 following summary of the information I have learned as a result.

11 4. On July 9, 2015, I obtained a search warrant for the residence located at
12 5264 NE 121st Ave, Apartment 150, Vancouver, WA. That search warrant was executed
13 by federal agents on July 10, 2015. The residence was a two bedroom, two bathroom
14 apartment with a main living area and kitchen. No one was present in the residence when
15 federal agents made entry or for the duration of the search. Officers of the Vancouver
16 Police Department and federal agents, including myself, made contact with Michaud
17 prior to making entry. Michaud's key was used to gain access to the residence.

18 5. During the execution of that search, a City of Vancouver Utility bill was
19 located and photographed. The bill is addressed to Jay Michaud, 5264 NE 121st Ave, Apt
20 150, Vancouver, WA 98682-2183. A Parking/Carport Agreement was also located and
21 photographed. The agreement was dated July 3, 2015, and is between The Management
22 Group (the property management company for the apartment complex of the residence)
23 and Jay Michaud. The agreement shows an address of Unit Number: Q 150, Street
24 Address: 5264 NE 121st Ave, City: Vancouver, State: WA, ZIP: 98682.

25 6. Several items of evidence were located and seized by federal agents from
26 the residence. Among those items of evidence were a Netgear USB Wireless Adaptor
27 with MAC Address C4041585A6B4, a USB SanDisk Cruzer 2GB USB drive, and an
28 Acer Aspire computer that were found in a bedroom of the residence. The Netgear USB

1 Wireless Adaptor is used to enable a computer to connect to the Internet through a
2 wireless network. The adaptor plugs into a USB port like those typically found on
3 desktop computers or laptops. This adaptor would not be able to plug into a mini-USB or
4 micro-USB port like those typically found on cellular telephones.

5 7. Also located in the same bedroom were a Motorola Surfboard cable modem
6 and a Belkin Wireless Router. The Motorola Surfboard cable modem is utilized to allow
7 a computer to get Internet access through an Internet service provider such as Comcast.
8 The Belkin Wireless Router was plugged into the cable modem and broadcasts a wireless
9 signal to allow computers to wirelessly connect to the Internet service received through
10 the cable modem. During the execution of the search, the IP address associated with the
11 Internet service received through the cable modem was checked. That IP address was
12 71.63.168.118. That IP address is owned by Comcast Cable Communications. In
13 response to a subpoena received from the FBI, on June 23, 2015, Comcast provided that
14 an internet service subscriber, Jay Michaud, was receiving internet service at 5264 NE
15 121st Ave., Apt 150, Vancouver, WA 98682 and as of that date was using the IP address
16 71.63.168.118.

17 8. A SanDisk Ultra USB 3.0 32GB USB drive and an HP Elitebook Laptop
18 were located in the main living area of the residence. Specifically, the SanDisk Ultra
19 USB 3.0 32GB USB drive was found plugged into the USB port of the television located
20 in that living area. The TV into which the SanDisk Ultra USB 3.0 32GB USB drive
21 found was a Vizio Smart TV. Plugging a USB drive into the USB port of this type of
22 television allows a user to view the contents of that USB drive on the television.

23 9. Contained in the lead received by me from the Major Case Coordination
24 Unit was information collected via the execution of a court-authorized Network
25 Investigative Technique ("NIT") warrant, pertaining to a user of the "Playpen" child
26 pornography website with the username "pewter," including the IP address of the target
27 computer as well as the MAC Address for the network interface card used by the
28 computer. That MAC Address obtained via the NIT was C4041585A6B4, which is

1 identical to the MAC address of the Netgear USB Wireless Adaptor found in a bedroom
2 of Michaud's residence.

3 10. The contents of the Acer Aspire computer were reviewed using forensic
4 hardware and software. During the review, a log file was located on the Acer Aspire
5 computer. That log file indicates that a "Push Button Reset" occurred on July 9, 2015 at
6 10:42PM. The "Push Button Reset" would have effectively erased all of the files located
7 on that computer prior to the "Push Button Reset" being utilized. It then restores the
8 computer to the same software state it would have been when it was first purchased or to
9 some previous state that can be specified or chosen by someone using that computer. No
10 images of child pornography, child erotica or other files often associated with child
11 pornography were found on that device.

12 11. The contents of the HP Elitebook laptop were reviewed using forensic
13 hardware and software. No images of child pornography, child erotica, or other files
14 often associated with child pornography were found on that device. The laptop is
15 property of the Vancouver Public School District. The laptop has two barcode stickers
16 on the top of it, both of which have the words "Vancouver Public Schools" printed on
17 them.

18 12. The contents of the SanDisk Ultra USB 3.0 32 GB USB drive that was
19 found plugged into the television were reviewed using forensic hardware and software.
20 Found on that USB drive were several thousand image files that contain pornography,
21 child pornography, and child erotica. The contents of the USB drive are organized in a
22 file folder structure. The images appear to be organized by the individual(s) depicted in
23 the images. In some cases, the folder names include the name of a person. Other than a
24 PDF document entitled "Back Up Your Files to the Cloud" and a couple of folders
25 containing software that appears to come from the USB drive manufacturer, all of the
26 contents of the USB drive are contained and organized within a folder entitled
27 "Downloads". The "Downloads" folder contents appear to be solely content involving
28 pornography, child pornography, and child erotica. Many of the images in a given folder

1 have the same "Created" date listed in the file details. This could mean that those files
2 were either downloaded or copied onto the USB Drive on the same date. The earliest
3 "Created" date of an image file on that USB drive was May 1, 2015, and the latest was
4 July 9, 2015.

5 13. Within the "Downloads" folder is a folder entitled "BD," which contained
6 another folder entitled "Charming Angels". Within the "Charming Angels" folder are
7 approximately 580 images files subdivided into approximately 10 other folders. All of
8 those images appear to depict child pornography, child erotica, or child modeling. All of
9 those images include a watermark-like stamp on the photo of the words "Charming
10 Angels" and the web address "www.charming-angels.com". I am aware from my training
11 and experience that watermark-like stamps such as those found on the images commonly
12 indicate a website from which such images were or could have been downloaded.

13 14. Also within the "Downloads" folder is a folder entitled "Nasties," that
14 contained another folder entitled "How To". The "How To" folder contained 21 image
15 files that comprise a guide entitled "The Jazz Guide How to Have Sex With Very Young
16 Girls...Safely". The guide contains several images of child pornography and includes
17 details on preparing young girls for vaginal intercourse, anal intercourse, digital
18 penetration, and the use of sexual aides such as dildos. One chart within the guide
19 entitled "An age guide for fucking young girls" details the capabilities for children from
20 ages 2 to "around 9 years old" for vaginal and anal sex. Below that chart is the statement
21 "over 13 years old there are no excuses... just fuck them." There is also a section in the
22 guide that describes hygiene in order to avoid being caught by medical personnel who
23 would treat young girls for urinary tract infections or hepatitis.

24 15. The contents of the USB SanDisk Cruzer 2GB USB drive were reviewed
25 using forensic hardware and software. On the USB drive were several files that had
26 previously been deleted that related to the education of children, including topics such as
27 math and reading fluency. As of July 10, 2016, Michaud was an employee of the
28 Vancouver school district where he has worked as a "Safe and Supportive Learning

1 Environments Coach,” and prior to that position, he had worked as a Special Education
2 teacher. Also on the USB drive was a folder entitled “Vids”. The “Vids” folder had not
3 been deleted. Within that folder were several video files containing child pornography.
4 The earliest “Created” date of a file in the “Vids” folder was June 2, 2015, and the latest
5 was June 6, 2015.

6 16. Concurrent to the execution of the search warrant at his residence on July
7 10, 2015, Michaud was contacted by officers of the Vancouver Police Department and by
8 federal agents, including myself. During the contact, Michaud was interviewed by me.
9 After being advised of his Miranda rights but before invoking his right to an attorney,
10 Michaud confirmed his residence address to be 5264 NE 121st Ave, Apartment 150,
11 Vancouver, WA and that he lived by himself. Michaud also stated that as of July 10,
12 2015, he was an employee of the Vancouver Public School District where he worked as a
13 “Safe and Supportive Learning Environments Coach”. Prior to that position, Michaud
14 had worked as a Special Education teacher for 10 years, also with the Vancouver Public
15 District.


16 17. An LG cell phone was found on Michaud’s person when he was contacted.
17 The LG cell phone was a smartphone and had a micro-USB port into which the Netgear
18 USB Wireless adaptor could not have been plugged. The cell phone instead would have
19 relied on its own Internet connection to access the Internet. The micro-USB port on the
20 cell phone could be used to perform tasks such as charging the phone’s battery or
21 transferring files from the phone to a computer or vice versa. A separate search warrant
22 for that phone was sought and obtained. A search of the cell phone found on Michaud’s
23 person showed it contained over 1,600 image files. Most of those image files were
24 pornography, child pornography, or child erotica.

25 18. I created a file listing of the approximately 137,000 files found on the two
26 USB drives previously described, including the hash values of those files. I sent that list
27 to FBI Special Agent (SA) Dan Alfin of the Major Case Coordination Unit, Violent
28 Crimes Against Children Section, Criminal Investigative Division, FBI Headquarters.

1 SA Alfin conducted a hash value comparison of the file listing I provided to him with the
2 files that were available via the "Playpen" child pornography website during the time in
3 which that website was controlled by the FBI. SA Alfin reported to me that 448 files
4 included in the file listing I provided to him, had hash values that matched the hash
5 values of files available via the "Playpen" child pornography website during the time in
6 which that website was controlled by the FBI. SA Alfin stated those matched files
7 included images and videos that appear to depict child pornography, child erotica, and
8 child modeling.

9 19. On January 14, 2016, the Grand Jury returned a Superseding Indictment
10 charging Michaud with Possession of Child Pornography (Count 1) and Receipt of Child
11 Pornography (Counts 2 and 3). Count 2 of the Superseding Indictment charges Receipt
12 of Child Pornography sometime between February 21, 2015, and March 2, 2015, during
13 the period when Playpen was under the control of the FBI. Count 3 of the Superseding
14 Indictment charges Receipt of Child Pornography on or about June 18, 2015. The
15 Superseding Indictment specifies the file names of five visual depictions that Michaud is
16 charged with receiving. Those files were found on the SanDisk Ultra USB 3.0 32 GB
17 USB drive that was found plugged into the television.

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19 EXECUTED: May 19, 2016.

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22 Samuel A. Mautz
23 Special Agent, FBI
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